

Amendment and Response

Applicant: Robert Davidson

Serial No.: 09/760,242

Filed: January 12, 2001

Docket No.: 10002343-1

Title: PERSONAL MOVIE STORAGE MODULE

REMARKS

These remarks are made in response to the Non-Final Office Action mailed June 1, 2005. In that Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over various combinations of Cantone, U.S. Patent No. 5,734,781 ("Cantone"), Chung, U.S. Patent No. 6,628,963 ("Chung"), the Jamie Beckett article entitled "Making Room for Digital Camera" ("Beckett"), Allen, U.S. Patent no. 5,909,638 ("Allen"), Yamagata et al., U.S. Patent No. 4,908,793 ("Yamagata"), and Gibson et al., U.S. Patent No. 5,557,596 ("Gibson").

With this Response, claims 1-6, 8, 9, and 16 have been amended. Claims 1-20 remain pending in the application and are presented for reconsideration and allowance.

35 U.S.C. §103 Rejections

On pages 2-4 of the Office Action, the Examiner rejected claims 1, 4, 5, and 8 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Chung and Beckett. Claim 1 is an independent claim and includes a method of portably handling a movie. Claim 1, as amended, includes storing a digitally formatted movie into a portable digital movie storage module including an atomic resolution storage memory component; connecting the portable digital movie storage module to a portable digital movie playback device; recalling selectively the digitally formatted movie from the memory component of the portable digital storage module into the portable digital movie playback device; and displaying the digitally formatted movie on the portable digital movie playback device.

None of the cited references, either taken singularly or in combination, teach, suggest, or disclose all claimed limitations including recalling selectively the digitally formatted movie from the memory component of the portable digital storage module into the portable digital movie playback device.

In particular, Cantone merely discloses transforming analog data via a tape loop from a VCR-sized cassette to a conventional VCR machine capable of reading the analog data. Thus, Cantone does not disclose recalling selectively the digitally formatted movie from the memory component of the portable digital storage module into the portable digital movie playback device, as claimed. In addition, the combination of Cantone, Chung, and Beckett does not disclose a functioning method since combining the analog output via a tape loop of

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Cantone with the electromechanics of the multi-media player of Chung would result in a non-functioning and inoperable method and system unable to selectively recall a digitally formatted movie from a portable digital storage module into a portable digitally formatted movie playback device. Modifying Cantone's system to include the portable digital playback device of Chung would result in an inoperable method and system since Cantone provides media in an analog format on a tape loop, which would be incompatible with and unreadable by the playback device of Chung.

Beckett is merely cited for teaching the concept of atomic resolution storage (ARS). Beckett does not disclose digitally formatted movies, portable digital movie storage modules, or portable digital movie playback devices capable of displaying digitally formatted movies.

It is Applicant's belief that independent claim 1, and depending claims 4, 5, and 8, are patentably distinguishable over the prior art of record.

On page 5 of the Office Action, the Examiner rejected claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over Cantone, Chung, and Beckett, and further in view of Allen. Claims 2 and 3 are dependent claims which depend from independent claim 1. As previously discussed, it is believed that independent claim 1 is patentably distinguishable over the cited art of record. Therefore, it is believed that dependent claims 2 and 3 are patentably distinguishable over the cited art of record.

On pages 6 and 7 of the Office Action, the Examiner rejected claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Cantone, Chung, and Beckett, and further in view of Yamagata. Claims 6 and 7 are dependent claims, which depend from independent claim 1. As previously discussed, it is believed that independent claim 1 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claims 6 and 7 are patentably distinguishable over the cited art of record.

On pages 7-11 of the Office Action, the Examiner rejected claims 9, 10, and 11 under 35 U.S.C. §103(a) as being unpatentable over Cantone in view of Chung, Beckett, and Yamagata.

As amended, the portable digital movie storage module of independent claim 9 includes a portable digital ultra-capacity storage device removably connectable to a portable digital playback device capable of displaying a digitally formatted movie. The portable digital storage module further includes a communication interface for communicating to and

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from the memory component of the storage module and for providing the digitally formatted movie from the storage module to the portable digital movie playback device.

The cited prior art, taken individually or in combination, does not disclose a portable digital playback device capable of displaying a digitally formatted movie or a communication interface for providing the digitally formatted movie from the storage module to the portable digital playback device. As previously discussed, Cantone merely discloses providing analog data from a VCR-sized cassette to a conventional VCR machine. In addition, the combination of Cantone, Chung, Beckett, and Yamagata would not result in an inoperable portable digital movie storage module, since the playback device of Chung is incapable of receiving an analog signal stored on a tape loop, such as the tape loop provided by the VCR-sized cassette of Cantone. Furthermore, both Beckett and Yamagata are silent regarding a portable digital device capable of displaying a digitally formatted movie or a communication interface for providing the digitally formatted from the storage module to the portable digital playback device.

It is Applicant's belief that independent claim 9, and depending claims 10 and 15, are patentably distinguishable over the cited art of record.

On pages 11-13 of the Office Action, the Examiner rejected claims 11-14 under 35 U.S.C. §103(a) as being unpatentable over Cantone, Chung, Beckett, Yamagata, and Gibson. Claims 11-14 are dependent claims that depend from independent claim 9. As previously discussed, it is believed that independent claim 9 is patentably distinguishable over the cited art. Therefore, it is believed that dependent claims 11-14 are also patentably distinguishable over the cited record.

On pages 13-16 of the Office Action, the Examiner rejected claims 16-18 under 35 U.S.C. §103(a) as being unpatentable over Cantone, in view of Chung, Beckett, Yamagata, and Allen. Claim 16 is an independent claim which discloses a portable digital movie handling system. The portable digital movie handling system includes a portable digital movie storage module which further includes an atomic resolution storage memory device for storing at least one digitally formatted movie and a communication interface for communicating to and from the storage device and for providing the digitally formatted movie from the storage module. The portable digital movie handling system of claim 16 further includes a portable digital movie playback device removably connectable to the

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storage memory device for receiving a digitally formatted movie and for displaying the digitally formatted movie from the storage memory device of the portable digital movie storage module.

The cited references, taken individually or in combination, do not disclose various elements of independent claim 16. In addition, the combination of various cited references would not result in an operable and functional portable digital movie handling system. For example, the multi-media player of Chung would not be capable of receiving the audio and visual data from the tape loop of the Cantone VCR-sized cassette.

It is Applicant's belief that independent claim 16, and depending claims 17 and 18, are patentably distinguishable over the cited art of record.

On pages 16-18 of the Office Action, the Examiner rejected claims 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over Cantone, Chung, and Beckett, and further in view of Russo. Claims 19 and 20 are dependent claims, which depend from independent claim 1. As previously discussed, it is believed that independent claim 1 is patentably distinguishable over the cited art of record. Therefore, it is also believed that dependent claims 19 and 20 are patentably distinguishable over the cited art of record.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-20 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-20 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Philip Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332 or Michael R. Binzak at Telephone No. (612) 573-0427, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24th day of August, 2005.

By Michael R. Binzak
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